

UNITED STATES DISTRICT COURT

for the
District of New Mexico

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

2015 NOV 24 AM 9:31

CLERK-LAS CRUCES

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

918 Davidson Drive,
Roswell, New Mexico, 88203

Case No. 15 MR 790

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See attachment A, which is attached and hereby incorporated herein by this reference.

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

See attachment B, which is attached and hereby incorporated herein by this reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841	PWID methamphetamine

The application is based on these facts:

See attached affidavit, which is attached and hereby incorporated herein by this reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Colin McGuire, FBI SA

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/23/2015

City and state: Roswell, New Mexico

Judge's signature

Honorable Joel Carson, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEIZURE WARRANT

I, the undersigned, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), United States Department of Justice. I have been employed since 2006. I am currently assigned to the FBI Albuquerque Division, Roswell Resident Agency which is located in Roswell, New Mexico and assigned (among other things) to investigate federal crimes which includes cases regarding the possession of firearms by convicted felons. I have conducted numerous state and federal investigations and received training, education, and experience with the identification and investigation of felons in possession of firearms. I have been personally involved in the execution of search warrants to search residences and seize materials relating to the possession of firearms by convicted felons. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers or reliable sources.
2. This affidavit is submitted in support of an application for a search warrant to search for and seize instrumentalities, fruits and evidence of violations of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), possession with intent to distribute methamphetamine. The items that are the subject of the search and seizure applied for in this affidavit are more specifically described in Attachment A.
3. The information contained in this affidavit is based upon information obtained from other special agents and law enforcement officers and my previous investigative experience. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth the facts that I believe necessary to establish probable cause to believe that evidence, fruits and instrumentalities of violations Title 21, United States

Code, Sections 841(a)(1) and (b)(1)(C) are currently located at 918 Davidson Drive, Roswell, New Mexico 88203. This location is identified as the residence of Brandy Matthewson.

4. I have probable cause to believe that evidence of violations of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), possession with intent to distribute methamphetamine, is located in and within the aforementioned property described in attachment A. Thus, as outlined below, and based on my training and experience, there is probable cause to believe that evidence, fruits and/or instrumentalities of aforementioned crimes are located in this property.

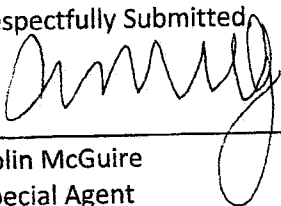
BACKGROUND OF THE INVESTIGATION

5. On May 26, 2015, law enforcement investigators executed a search warrant at 918 Davidson Drive, Roswell, New Mexico 88203. Investigators knew from previous surveillance that Brandy Matthewson lived there.
6. In late November, 2015, a reliable source of information advised that on or about November 19, 2015, Brandy Matthewson was in possession of at least two ounces of methamphetamine, which she kept in a little box on the dresser in her bedroom in her residence at 918 Davidson Drive, Roswell, New Mexico. The reliable source of information advised that Matthewson sold methamphetamine from the residence and had stepped up her game to sell more methamphetamine since other methamphetamine distributors were arrested during the round ups in 2015. The reliable source of information purchased methamphetamine from Matthewson at her residence during the month of November 2015.
7. Based on their training and experience in this investigation, agents are aware that distributors of illicit narcotics usually conduct their transactions on a cash basis. Therefore, agents believe that in addition to illicit narcotics, they may find U.S. currency that is proceeds of illicit narcotics transactions during a search of the property.

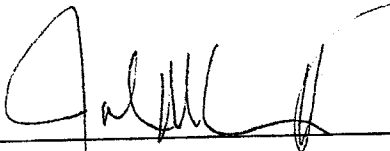
8. Based on the foregoing, there is probable cause to search the property in Chaves County, New Mexico listed above in paragraph 6, more specifically described in Attachment A, for evidence, more specifically described in Attachment B, of violations of Title 21 United States Code, Sections 841(a)(1) and (b)(1)(C).

I swear that this information is true and correct to the best of my knowledge, information, and belief.

Respectfully Submitted,


Colin McGuire
Special Agent
Federal Bureau of Investigation

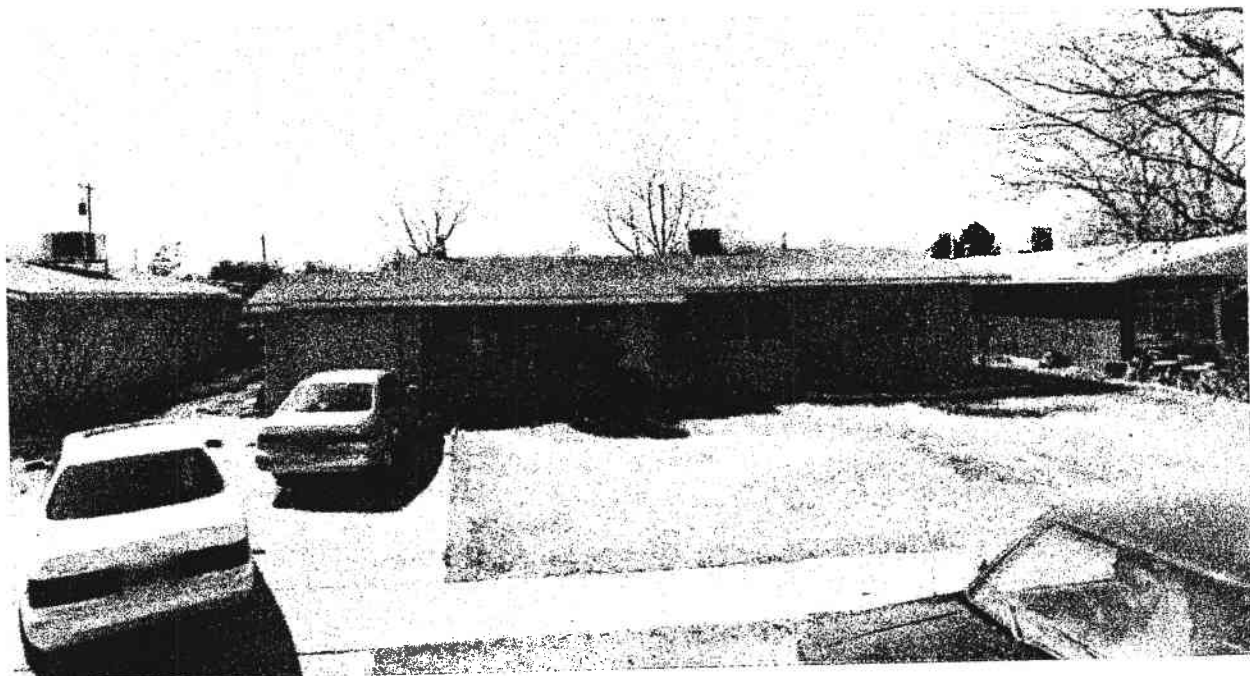
Subscribed to and sworn to
before me, this 23rd of November, 2015



Joel Carson
United States Magistrate Judge
Roswell, New Mexico

ATTACHMENT A
DESCRIPTION OF PROPERTY TO BE SEARCHED

918 Davidson Drive, Roswell, New Mexico, is a tan single story residence with a white front door. The numbers "918" are clearly displayed on a white placard next to the front door. The residence has an garage on the south side of the building. The scope of the search warrant will include any vehicles present on the property, any outbuildings, sheds or barns on the property and other locations within the property not described where evidence, fruits of the crimes and contraband can be located as described on Attachment B.



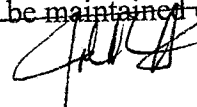
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ATTACHMENT B

Items to be Seized

There is probable cause to seize the following items which constitute evidence, fruits and instrumentalities of violations of Title 21 U.S.C. Sections 841 (distribution of a controlled substance).

1. Controlled substances, packaging materials, scales, paraphernalia, and other items relating to the obtaining, secreting, transfer, and/or concealment of controlled substances.
2. United States currency, precious metals, jewelry, gold coins, and financial instruments, including stocks and bonds that represent the proceeds of drug trafficking activity.
3. ~~The opening and search, and removal, if necessary, of any safe or locked receptacle or compartment, where items authorized to be seized, may be maintained or stored.~~



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SM
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